

NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE PROMULGATION: DMR Regulation 96.09, Closed Area No. 64-D, Isle au Haut to the limits of U.S. jurisdiction.

TEXT OF RULE: DMR Regulation 96.09, Closed Area No. 64-D, Isle au Haut to limit of US Jurisdiction.

1. Effective immediately, because of contamination (Paralytic Shellfish Poison), it shall be unlawful to dig, take or possess any mussels, carnivorous whelks or carnivorous snails from the U.S. shores, flats and territorial waters west of a line drawn true south from the most western land on Marshall Island, Swan's Island to the limit of the U. S. jurisdiction and south and seaward of a line drawn from the most western land on Marshall Island, Swans Island extending in a westerly direction to the most southeastern point of land on Merchant Island, Isle au Haut; then southwesterly to the most northwestern point of land on Kimball Island, Isle au Haut; then true south to the limits of the U.S. jurisdiction.

All DMR Regulations concerning closures of shellfish due to bacterial pollution are not affected by this emergency rule and will remain in full force and effect.

EFFECTIVE DATE: June 18, 2004

AGENCY CONTACT PERSON: Amy Fitzpatrick
Department of Marine Resources
194 McKown Point Road
West Boothbay Harbor, ME 04575

BANGOR DAILY NEWS
June 22, 2004

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources adopts this emergency DMR Regulation 96.09 Closed Area No. 64-D, Isle au Haut to the limit of U.S. Jurisdiction. Mussels, carnivorous whelks or carnivorous snails may not be harvested in an area from Marshall Island, Swan Island south to the limit of U.S. jurisdiction and easterly to Merchant Island, Isle au Haut southwesterly to Kimball Island, Isle au Haut south to the limit of U.S. jurisdiction.

Department personnel have sampled the area and have determined that shellfish in this area contain dangerous levels of red tide toxin. Consequently, it is closed to protect the public health.



DAVID ETNIER
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

64D - Isle Au Haut to the limit of U.S. Jurisdiction 6/18/04

